



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Examiner: Kemmerer, Elizabeth  
Ashkenazi, et al. ) Art Unit: 1646  
Application Serial No. 09/941,992 ) Attorney's Docket No. 39780-2730P1C1  
Filed: August 28, 2001 ) Customer No. 35489  
For: **SECRETED AND TRANSMEMBRANE** )  
**POLYPEPTIDES AND NUCLEIC** )  
**ACIDS ENCODING THE SAME** )

EXPRESS MAIL LABEL NO. EL 976 551 970 US  
DATE MAILED: MARCH 30, 2006

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

**MAIL STOP AMENDMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy is provided of each foreign patent, each publication other than U.S. patents and U.S. patent application publications, and each cited pending unpublished U.S. application along with a concise explanation of information in a foreign language pursuant to 37 C.F.R. §§1.97-1.98.

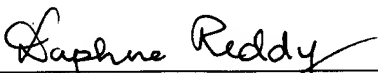
Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. Form PTO-1449 is enclosed and the Examiner is requested to initial and return it in accordance with M.P.E.P. §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

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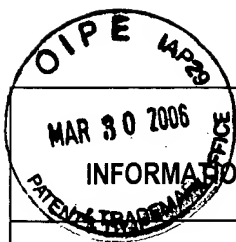
- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☒ a fee of **\$180.00** as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of **\$180.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39780-2730P1C1)**.

Respectfully submitted,

  
Daphne Reddy (Reg. No. 53507)

Dated: March 30, 2006

**HELLER EHRMAN LLP**  
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Menlo Park, California 94025-3506  
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Form PTO-1449 <b>INFORMATION DISCLOSURE STATEMENT</b> <i>(use several sheets if necessary)</i>	Attorney's Docket No. 39780-2730P1C1	Application Serial No. 09/941,992
	Applicant(s) Ashkenazi, et al.	
	Filing Date: August 28, 2001	Group Art Unit: 1646

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date (if appropriate)

## FOREIGN PATENT DOCUMENTS

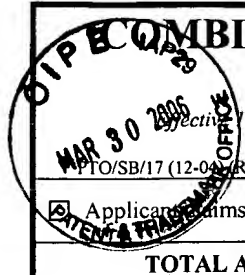
Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Translation	
							YES	NO

## OTHER DOCUMENTS

*(including author, title, date, pertinent pages, etc.)*

Examiner Initials	Ref. No.	Title
	1.	Beà, Silvia, et al., "BMI-1 Gene Amplification and Overexpression in Hematological Malignancies Occur Mainly in Mantle Cell Lymphomas", Cancer Research 61, pp 2409-2412 (March 15, 2001).
	2.	Futcher, B., et al., "A Sampling of the Yeast Proteome", Molecular and Cellular Biology, Vol. 19, No. 11, pp 7357-7368 (November 1999).
	3.	Hähnel, Erika, et al., "Expression of the pS2 Gene in Breast Tissues Assessed by pS2-mRNA Analysis and pS2-Protein Radioimmunoassay", Breast Cancer Research and Treatment, Vol. 24, pp 71-74 (1992).
	4.	Hirsch, Fred. R., et al., "Early Detection of Lung Cancer: Clinical Perspectives of Recent Advances in Biology and Radiology", Clinical Cancer Research, Vol. 7, pp 5-22 (January 2001).
	5.	Janssens, Nico, et al., "Alteration of Frizzled Expression in Renal Cell Carcinoma", Tumor Biology, Vol. 25, pp 161-171 (2004).
	6.	Kammori, Makoto, et al., "Expression of Human Telomerase Reverse Transcriptase Gene and Protein, and of Estrogen and Progesterone Receptors, in Breast Tumors: Preliminary Data from Neo-Adjuvant Chemotherapy", International Journal of Oncology, Vol. 27, No. 5 (November 2005).
	7.	Maruyama, Haruhisa, et al., "Id-1 and Id-2 are Overexpressed in Pancreatic Cancer and in Dysplastic Lesions in Chronic Pancreatitis", American Journal of Pathology, Vol. 155, No. 3, pp 815-822 (September 1999).
	8.	Papotti, Mauro, et al., "Correlative Immunohistochemical and Reverse Transcriptase Polymerase Chain Reaction Analysis of Somatostatin Receptor Type 2 in Neuroendocrine Tumors of the Lung", Diagnostic Molecular Pathology, Vol. 9, No. 1, pp47-57 (2000).
	9.	Walmer, David K., et al., "Malignant Transformation of the Human Endometrium is Associated with Overexpression of Lactoferrin Messenger RNA and Protein", Cancer RESEARCH, Vol. 55, No. 5, pp 1168-1174 (March 1, 1995).

EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	
*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).	



**COMBINED FEE TRANSMITTAL**  
**for FY 2006**  
Effective 12/08/2004. Patent fees are subject to annual revision.  
PTO/SB/17 (12-04) (Revised) (For payment of 37 CFR 1.17 fees including (f), (g), (h), & (i))  
☒ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$)**180.00**

**Complete if Known**

Application Number09/941,992

Filing DateAugust 28, 2001

First Named InventorAshkenazi, et al.

Examiner NameKemmerer, Elizabeth

Art Unit1646

Attorney Docket No.39780-2730P1C1

**METHOD OF PAYMENT (check one)**  
☐ Check  
☒ Deposit Account  
☐ Credit card  
☐ Money Order  
☐ Other  
☐ None

Deposit Account Number:08-1641 (Ref. Atty. Docket No. 39780-2730P1C1)

Deposit Account Name:Heller Ehrman LLP

The Commissioner is authorized to: (check all that apply)  
☒ Charge fee(s) indicated below  
☒ Credit any overpayments and charge any deficiencies  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the deposit account

**FEE CALCULATION (continued)**

4. PETITION FEES UNDER 37 CFR 1.17 (f)  
Fee Code: 1462 Fee \$ 400 For petitions filed under:  
§ 1.53(e); § 1.57(a); § 1.182; § 1.183; § 1.378(e); § 1.741(b)

5. PETITION FEES UNDER 37 CFR 1.17 (g)  
Fee Code: 1463 Fee \$ 200 For petitions filed under:  
§ 1.12; § 1.14; § 1.47; § 1.59; § 1.103(a); § 1.136(b); § 1.295; § 1.296; § 1.377; § 1.550(c); § 1.956; § 5.12; § 5.15; § 5.25

6. PETITION FEES UNDER 37 CFR 1.17 (h)  
Fee Code: 1464 Fee \$ 130 For petitions filed under:  
§ 1.19(g); § 1.84; § 1.91; § 1.102(d); § 1.138(c); § 1.313; § 1.314

7. PROCESSING FEES UNDER 37 CFR 1.17 (i)  
Fee Code: 1808 (1803 for § 1.221) Fee \$ 130 For petitions filed under:  
§ 1.28(c)(3); § 1.41; § 1.48; § 1.52(d); § 1.53(b)(3); § 1.55; § 1.99(e); § 1.103(b); § 1.103(c); § 1.103(d); § 1.217; § 1.221; § 1.291(c)(5); § 1.497(d); § 3.81

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Applicati on Type	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	135	65	
• Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
SUBTOTAL (1)						\$ 0	

**2. EXTRA CLAIM FEES**

Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
50	25	Each claim in excess of 20 or, for Reissues, each claim in excess of 20 and more than in the original patent
200	100	Each Independent claim in excess of 3 or, for Reissues, each independent claim more than in the original patent
360	180	Multiple dependent claim, if not already paid

Total Claims

Independent Claims

-20\*\* =

-3\*\* =

x

x

Fee from above

=

=

Fee Paid

\*\*or number previously paid, if greater; For Reissues see below

Multiple Dependent

=

**SUBTOTAL (2)** \$ 0

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof (round up to the whole number). See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s)

Total Sheets	Extra Sheets	Number of each additional 50	Fee (\$)	Small Entity Fee (\$)
	-100 =	/50 =	x 250 OR x 125	
SUBTOTAL (3)				\$ 0

Entity Fee (\$)	Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for <i>ex parte</i> reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
500	250	Filing a brief in support of an appeal	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1,510	1,510	Petition to institute a public use proceeding	
500	250	Petition to revive - unavoidably abandoned application	
1,500	750	Petition to revive - unintentionally abandoned application	
50	50	Processing fee for provisional apps (37 CFR 1.17(q))	
180	180	Submission of Information Disclosure Statement	180.00
1,000	500	Request for oral hearing	
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
790	395	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	
Other fee (specify)			
SUBTOTAL (4+5+6+7+8)			\$ 180.00
* Reduced by Basic Filing Fee Paid			

**SUBMITTED BY**

Name (Print/Type) DAPHNE REDDY

Registration No. (Attorney/Agent) 53,507

Signature Daphne Reddy

Date March 30, 2006

Complete (if applicable)

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